

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.10589 of 2008
ASHFAQUE @ MD.ASHFAQUE ALAM & ANR
Versus
STATE OF BIHAR

4 **04.09.2008**

Heard learned counsel for the petitioners and the State. A supplementary affidavit has been filed on behalf of the petitioners.

Petitioners are accused in a case registered for the offences under Sections 341, 344 & 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the present complaint has been filed for ulterior purposes. It is further submitted that the complainant is in habit of filing cases on false allegation as would be appearing from the report submitted by the Azamnagar police station as contained in letter dated 02.06.2008 vide Annexure-2 to the supplementary affidavit filed today, to the effect that the complainant had earlier filed a case against this petitioner, however the police found that the case has been filed on account of their internal dispute in the family.

Learned counsel appearing for the opposite party no.2 submits that the allegations are very clear and specific against the petitioners. It is further submitted that after filing of the complaint no witness has been

examined.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioners, namely, Ashfaque @ Md. Ashfaque Alam & Farooque @ Md. Farooque be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with Complaint Case No. 65 of 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Manish

(Shailesh Kumar Sinha,J.)

